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**AMENDMENT TO H.R. 5658, AS REPORTED  
OFFERED BY MR. HOLT OF NEW JERSEY, MS.  
SCHAKOWSKY OF ILLINOIS, MRS. TAUSCHER  
OF CALIFORNIA, AND MR. GRIJALVA OF ARI-  
ZONA**

Add at the end of title X, the following:

1 **SEC. 10 \_\_\_\_ . REQUIREMENT FOR VIDEOTAPING OR OTHER-**  
2 **WISE ELECTRONICALLY RECORDING STRA-**  
3 **TEGIC INTERROGATIONS OF PERSONS IN**  
4 **THE CUSTODY OF OR UNDER THE EFFECTIVE**  
5 **CONTROL OF THE DEPARTMENT OF DE-**  
6 **FENSE.**

7 (a) IN GENERAL.—In accordance with the Army  
8 Field Manual on Human Intelligence Collector Operations  
9 (FM 2-22.3, September 2006), or any successor thereto,  
10 and the guidelines developed pursuant to subsection (e),  
11 the Secretary of Defense shall take such actions as are  
12 necessary to ensure the videotaping or otherwise electroni-  
13 cally recording of each strategic interrogation of any per-  
14 son who is in the custody or under the effective control  
15 of the Department of Defense or under detention in a De-  
16 partment of Defense facility.

1 (2) the videotaping or other electronic recording  
2 of tactical questioning, as such term is defined in  
3 the Army Field Manual on Human Intelligence Col-  
4 lector Operations (FM 2-22.3, September 2006), or  
5 any successor thereto.

6 (e) GUIDELINES FOR VIDEOTAPE AND OTHER ELEC-  
7 TRONIC RECORDINGS.—

8 (1) DEVELOPMENT OF GUIDELINES.—The Sec-  
9 retary of Defense, acting through the Judge Advo-  
10 cates General (as defined in section 801(1) of title  
11 10, United States Code, (Article 1 of the Uniform  
12 Code of Military Justice)), shall develop and adopt  
13 uniform guidelines designed to ensure that the  
14 videotaping or other electronic recording required  
15 under subsection (a), at a minimum—

16 (A) promotes full compliance with the laws  
17 of the United States;

18 (B) is maintained for a length of time that  
19 serves the interests of justice in cases for which  
20 trials are being or may be conducted pursuant  
21 to the Detainee Treatment Act of 2005 (title 14  
22 of Public Law 109-163 and title 10 of Public  
23 Law 109-148), the Military Commissions Act of  
24 2006 (10 U.S.C. 948 et seq.; Public Law 109-  
25 366), or any other provision of law;